

asbestos management policy

December 2024

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1. Policy statement

believe housing is committed to providing a safe environment for its colleagues, customers, visitors, and contractors. Part of this safety responsibility is to manage the risks associated with asbestos in line with current regulatory requirements.

believe housing will also work closely with our customers to provide information and advice around asbestos and act upon any concerns raised by customers, colleagues and contractors.

2. Obligations and policy aims

Asbestos is a term used to describe a collection of naturally occurring fibrous minerals. The fibres have high tensile strength, as well as chemical, electrical and heat resistance, and were widely used in construction products until banned in 1999.

Asbestos is a potential hazard in buildings under the control of believe housing and therefore the aim of this policy is to provide a robust framework which will, so far as is reasonably practicable, detect, record and manage asbestos within our homes and buildings.

We recognise our legal and moral obligations in relation to asbestos and will ensure that the risk of asbestos will be managed in accordance with current legislation and guidance.

This includes but not limited to:

- The Control of Asbestos Regulations 2012
- Approved Code of Practice L143 Managing and Working with Asbestos
- HSG 264 Asbestos: The Surveying Guide
- Health and Safety at Work Act etc 1974
- The Workplace (Health, Safety and Welfare) Regulations 1992
- The Management of Health and Safety at Work Regulations 1999
- The Construction (Design and Management) Regulations 2015
- The Landlord and Tenant Act 1985
- The Housing Act 2004
- The Defective Premises Act 1972
- Environmental Protection Act 1990
- HSG227 A comprehensive guide to managing asbestos in premises (First edition, 2002)
- HSG247 Asbestos: The licenced contractors' guide (First edition 2006)
- ING223 Managing asbestos in buildings: a brief guide (Revision 5, April 2012)
- HSG210 Asbestos Essentials: A task manual for building, maintenance and allied trades and non-licensed asbestos work (Fourth Edition, 2018)
- HSD248 Asbestos: The Analysts' guide (Second Edition, 2021)

We must also ensure we comply with the Regulator for Social Housing's regulatory framework and consumer standards for social housing in England; the Safety and Quality Standard being the primary one applicable to this policy.

Under the Control of Asbestos Regulations 2012 (CAR 2012) believe housing has a legal obligation under Part 2, Section 4 'Duty to manage asbestos in non-domestic properties' and is the Duty Holder for the purposes of the legislation. We are required to:

- find out if asbestos containing materials (ACMs) are present, where we have an obligation to do so, presuming that materials contain asbestos unless we have robust evidence that they do not
- identify the location and condition of any ACMs
- assume asbestos is present if the property was built prior to the year 2000
- keep an up-to-date record (asbestos register) of the location and condition of ACMs or presumed ACMs
- assess the risk from any ACMs found
- prepare an Asbestos Management Plan that sets out how we will manage the risk from ACMs, and review and monitor its implementation
- set up a system to provide information we receive relating to asbestos within the properties we own and manage.

We acknowledge and accept our responsibilities under CAR 2012, and we recognise that the main hazard in relation to asbestos is the non-identification of asbestos containing materials. As such we will protect those persons potentially exposed to asbestos as far as is reasonably practicable, using appropriate control measures and working methods.

To ensure we can fulfil our responsibilities in relation to the management of asbestos we will:

- clearly define the responsibilities of believe housing to our customers, colleagues, visitors, and contractors
- provide suitable and sufficient resource to manage asbestos effectively
- implement suitable and sufficient governance arrangements to manage the risks associated with asbestos
- allocate responsibilities and duties for asbestos management
- employ competent persons to manage asbestos related activity
- provide suitable and sufficient asbestos awareness training
- have an Asbestos Management Plan for properties that come under the legislative scope of Regulation 4 of CAR 2012
- maintain an asbestos register

- ensure information about asbestos containing materials (known or presumed) is provided to every person liable to disturb it, accidentally or during the course of their work. This includes colleagues, contractors and customers
- conduct suitable and sufficient asbestos surveys in believe housing properties
- conduct asbestos reinspection's in properties which fall under the legislative scope of the CAR 2012
- when required, remove asbestos in line with all current regulations and guidance, including notification of works to the Health and Safety Executive
- implement effective asbestos management record keeping
- operate effective contract management arrangements with the contractors responsible for delivering the service, including ensuring contracts are in place, conducting client-led performance meetings and ensuring the contractors employee and public liability insurances are up to date on an annual basis
- implement a robust process to manage immediately dangerous situations identified during asbestos related works
- provide personal protective equipment to our in-house teams
- engage with customers, and suppliers to inform and promote asbestos awareness
- use the legal remedies available within the terms of the tenancy or lease agreement should any customer, leaseholder or shared owner refuse access to conduct essential asbestos related inspection and remediation works
- conduct and maintain a risk and control self-assessment for asbestos management and operations setting out our key risks from asbestos and appropriate mitigations.

3. Scope

The asbestos management policy applies to all believe housing colleagues, customers and contractors who might work in, occupy or use premises or land under the control of believe housing. This includes, but is not limited to:

- general needs homes
- housing plus units
- communal areas
- offices
- community hubs
- commercial premises
- garages
- land.

4. Roles and responsibilities

As a landlord and employer, in addition to meeting the requirements set out in the Control of Asbestos Regulations 2012, believe housing has a responsibility to our customers

under the Housing Act 2004 to provide a safe home, and a responsibility to our staff under the Health and Safety at Work Act 1974 to provide a safe working environment.

The Control of Asbestos Regulations (2012) requires the identification of a 'Duty Holder' to oversee the management of asbestos-related risks.

The Chief Executive is the Duty Holder, and, through the Director of Assets and Compliance, the Compliance Manager is the Responsible Person.

Asbestos control is a collective organisational responsibility and therefore responsibility for this policies implementation is delegated throughout the business as follows:

Audit Committee and Board will:

- challenge internal asbestos management control procedures and performance.

The Chief Executive will:

- scrutinise the implementation of the asbestos management policy and its related procedure
- provide sufficient resource for the implementation of a robust and compliant system of asbestos management, in line with relevant legislation.

The Assets and Compliance Directorate will:

- promote awareness of this asbestos policy and its associated procedure, across the organisation
- report asbestos performance and updates an agreed, consistent basis
- develop, maintain, and regularly review the asbestos management plan
- oversee the management of the asbestos, ensuring that believe housing remains compliant with all relevant legislation and guidance
- implement a framework of competent contractors to carry out surveying, analytical and removal works. Competency requirements are further detailed in section 7 of this policy
- where required, implement an asbestos reinspection programme
- implement procedures to ensure that actions generated from asbestos surveys and re-inspections are closed off in a timely and efficient manner. This will include regularly liaising with other responsible managers to ensure that any actions from surveys they have requested are completed
- record, update and monitor relevant asbestos data and manage the believe housing asbestos register correctly. Asbestos data management is further detailed in section 6 of this policy

- regularly liaise with the Health and Safety Manager, regarding effectiveness and implementation of the asbestos policy and review of asbestos related incidents or issues
- develop suitable asbestos awareness training for the organisation
- manage all asbestos related documentation, ensuring this is easily accessible for those who need it. Where required, ensure appropriate asbestos documentation can be provided for each property
- monitor to ensure that remediation measures, where implemented, are achieving the required outcomes, identify any failings and implement remedial actions where necessary
- liaise with responsible managers and other colleagues regarding asbestos management, surveying and remediation/removals
- implement this policy and its associated procedure within the Assets and Compliance Directorate, for external contractors working on their behalf
- ensure properties acquired through buy back are compliant with the relevant asbestos control legislation and guidance
- provide support and ongoing advice regarding asbestos control across the organisation.

The **Property Repairs Directorate** will:

- implement this policy within the Property Repairs directorate for both in house teams and external contractors working on their behalf
- ensure that in house teams and contractors are appropriately trained and complete any work in line with current regulations and guidance
- issue operatives with the appropriate personal protective equipment and ensure this is used correctly as required.

The **Neighbourhoods and Customer Experience Directorate** will:

- provide all customers with information on asbestos control at the beginning of their tenancy and make them aware of their asbestos related obligations in their tenancy agreement
- provide customers with asbestos information specific to their property at the start of their tenancy
- support in cases of no access in relation to the inspection and remediation requirements of this policy.

The **Development Directorate** will:

- ensure properties acquired are compliant with the relevant asbestos control legislation and guidance.

The **Corporate Strategy and Assurance Directorate** will:

- provide competent health and safety advice as stipulated in regulation 7 of the Management of Health and Safety at Work Regulations 1999
- investigate accidents and incidents involving asbestos with a view to highlighting opportunities for improvement.

The **Transformation and Culture Directorate** will:

- make asbestos awareness training available for relevant colleagues and reissue this, where required, on a cyclical basis.

All **believe housing colleagues** will:

- be aware of the asbestos management policy and procedure and their duties under this
- include the requirements of the asbestos policy and asbestos management plan in inductions with colleagues or contractors
- complete any asbestos related training allocated, within the required timeframes
- immediately report any asbestos related issues, to both Compliance and the Health and Safety Team.

All **customers** will:

- not put themselves or anyone else at risk in relation to asbestos safety
- follow the guidance issued by believe housing in relation to asbestos safety
- report any faults/defects in and around their home which may affect asbestos control
- not carry out or allow a third-party carry out work which may impact asbestos without consent.

5. Programmes and remedial works

Where required cyclical asbestos re-inspections will be conducted in non-domestic properties by a competent contractor. The frequency of these inspections will be determined by the risk associated with the asbestos containing material in conjunction with other factors such as its location and the activity in the building.

Any surveying company undertaking these reinspections shall have the required UKAS accreditations to undertake asbestos surveying and testing services.

Reinspections shall be undertaken within the frequencies detailed below:

Material and location	Frequency
<ul style="list-style-type: none"> • Low-level/accessible/internal licensed ACMs 	6 months
<ul style="list-style-type: none"> • Internal non-licensed ACMs • Low-level external non-licensed ACMs, such as cement entrance soffits • External high-level licensed ACMs, such as roof level insulation board soffits 	12 months
<ul style="list-style-type: none"> • Other external non-licensed ACMs, such as high level cement soffits, cement under-cloaking, damp proof course, and mastics 	24 months
<ul style="list-style-type: none"> • External damp proof course and mastics where they are the only ACMs identified 	36 months

The asbestos containing material requiring the shortest reinspection frequency will determine the reinspection frequency for the entire property.

In domestic properties asbestos surveying will be completed in the following circumstances:

- Intrusive or destructive work is required however only information from a management survey is available.
- There is a survey available which covers any work required however, this was completed prior to 2012 and shows that there are ACMs present with no evidence of their removal available.
- A survey identifies remedial works to ACMs in the area of work are required, where no evidence exists to demonstrate such remedials have been closed out.
- ACMs that will be removed as part of the works are only 'presumed' to contain asbestos.
- Where, in 10, 21 and 28-day voids, the existing survey information shows ACMs are identified or presumed however the survey is over seven years old. (Note: this will not include surveys which cover the full property and have only identified asbestos containing mastics and DPCs).
- In all void properties constructed prior to 2000 where there is no or limited asbestos information.

In each case the survey produced will capture the full property.

Where asbestos is positively identified and removal, sealing or encapsulation is either recommended by the competent surveyor or is required to facilitate works, this will be carried out as follows:

- Non-licensed works (as defined in regulation 2 of CAR 2012) – will be undertaken by a Licensed Asbestos Removal Contractor (LARC) licensed by the Health and

Safety Executive in compliance with CAR 2012. Non-licensed works will be undertaken within three weeks of receipt of the survey.

- Notifiable non-licensed works (as defined in regulation 2 of CAR 2012) – will be undertaken by a LARC and completed within three weeks of receipt of the survey.
- Licensed works (as defined in regulation 2 of CAR 2012) - will be undertaken by a LARC and completed within six weeks of receipt of the survey.

Where remedial works have been identified, appropriate action will be taken to prevent the risk from exposure. This may include but not be limited to:

- informing tenants, building occupants and visitors (verbally and in writing as required)
- emergency call out of the appointed removal contractor to conduct works.
- isolating the affected area/room
- erecting warning signage
- decanting the property.

6. Data and records

We maintain a core asset register of all properties we own and manage in our PIMSS asset management system. This data is used to identify properties which fall under Regulation 4 (Duty to Manage) of CAR 2012 and properties which were constructed prior to 2002 and therefore may contain asbestos.

Asbestos data relating to all properties is held in a database. This is updated weekly with information from new surveys and information on asbestos removals. This data is transferred to the trade operatives' handheld devices so they can access relevant asbestos information when they are working in properties.

When received, asbestos surveys and reinspection's are transferred an asbestos management portal, where they sit alongside the data for the property and can be referred to as necessary. Asbestos surveys and removal paperwork are also transferred to our document management system where they can be easily accessed. All paperwork in relation to asbestos is retained for a minimum of 40 years.

All cyclical asbestos programmes are managed through appropriate software.

7. Competent persons

Believe housings Compliance Manager and Compliance Officer (Asbestos) will hold a current P405 asbestos management qualification.

Only competent contractors will be used to complete asbestos related activities.

The surveying/analytical contractor used by believe housing must be accredited under the United Kingdom Accreditation Service (UKAS) to:

- ISO/IEC 17020 (Surveying for Asbestos in Premises) for building surveys and priority assessments
- ISO/IEC 17025 (Asbestos Testing Services) for laboratory bulk analysis

Individuals undertaking surveying and analytical works must hold the following qualification (or equivalent) as applicable to the work they are undertaking.

- P401 Identification of Asbestos in Bulk Samples (PLM)
- P402 Buildings Surveys and Bulk Sampling for Asbestos (including Risk Assessment and Risk Management Strategies)
- P402R Refresher for Management Surveys, Building Surveys and Sampling for Asbestos
- P403 Asbestos Fibre Counting (PCM) (including sampling strategies)
- P404 Air Sampling and Clearance Testing of Asbestos
- P405 Management of Asbestos in Buildings

Only competent Licensed Asbestos Removal Contractors will carry out work on asbestos, including non-notifiable non licensed, notifiable non-licensed and licensed works.

Only suitably competent asbestos consultants and contractors will provide third party technical quality assurance checks.

We will check that our contractors hold the relevant qualifications and accreditations when we procure them, and thereafter on an annual basis, and relevant certification will be saved accordingly.

8. Our commitments to our customers

We consider good communication essential in effective asbestos management, therefore we will develop a customer engagement plan This will support customers in their understanding of asbestos and advise them how they can keep themselves and others safe and encourage them to report any concerns.

We also aim to engage with vulnerable and hard to reach customers. We will share information clearly and transparently and will ensure that information is available to customers through regular publications and information on our website.

believe housing will:

- undertake asbestos surveys where required or prior to works being undertaken in their homes
- complete any asbestos removal work identified in surveys or to facilitate works.
- regularly promote asbestos awareness with our customers
- act upon any asbestos safety concerns reported by our customers
- upon request, advise customers of the results of asbestos surveys undertaken within their homes
- supply customers with asbestos information in relation to their home at the beginning of their tenancy and upon request thereafter
- keep customers updated on any asbestos mitigation works taking place, both in their homes or common areas of their buildings
- annually, publish data relating to the tenant satisfaction measure for asbestos re-inspections, on the believe housing website
- consider any suggestions made by our customers that could improve asbestos management
- liaise with our customers regularly to discuss asbestos safety precautions and other compliance matters.

9. Performance reporting

We will report key performance indicator (KPI) measures for asbestos reinspections that follow the requirements set out in the Tenant Satisfaction Measures (TSM's), which came into force on 1 April 2023 and must be reported to the Regulator for Social Housing on an annual basis.

We will also report to the following in relation to asbestos management:

Report recipient	Frequency
Regulator of Social Housing	Annual
Audit Committee	Quarterly
Senior Management Team	Fortnightly

The content of these reports differ; however, overall, the following will be reported annually:

Data

- Number of properties on the Asbestos Reinspection Programme
- Properties with a valid in date Asbestos Reinspection
- Properties without a valid in date Asbestos Reinspection.

Narrative

- Current position
- Remedial works highlighted in reinspection surveys and their progression. (including narrative around anything overdue)
- Contractor performance.

10. Quality assurance

We will ensure that there is a programme of external quality assurance audits of asbestos removal works. Five audits per month will be conducted on a cross section of licenced and non-licenced removal works.

We will internally review 100% of asbestos reinspections

We will validate asbestos survey data prior to uploading into the asbestos database to ensure that this is correct.

We will check all relevant paperwork is available and correct prior to removing an item of asbestos from the database.

We will carry out an independent audit of asbestos management at least every three years, to specifically test for compliance with legal and regulatory obligations and to identify any non-compliance issues for correction.

11. Policy review

This policy will be reviewed every two years or unless there is:

- a significant asbestos incident
- an important change in circumstances or legislation, which would warrant a review being carried out at an earlier date
- a significant issue raised regarding the policy, by an independent organisation undertaking audit or review.

12. Significant non-compliance and escalation

Our definition of a significant non-compliance is any incident which has to potential to result in a major breach in legislation or regulatory standard, or which causes a risk to health or safety, and which needs to be managed as an exception to routine processes and procedures.

All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident or of an employee becoming aware.

Any non-compliance issues at an operational level will be formally reported to the Compliance Manager and, where necessary, the Health and Safety Manager in the first instance, who will agree an appropriate course of corrective action.

In cases of serious non-compliance, the Senior Management Team and Board would consider whether it is appropriate to disclose the issue to the Regulator for Social Housing as required by the regulatory framework, or any other organisations such as the Health and Safety Executive.

We will ensure that there is a robust process in place to investigate and manage all RIDDOR notifications made to the HSE in relation to asbestos safety and will take action to address any issues identified and lessons we have learned, to prevent a similar incident occurring again.

13. Links to other policies and procedures

The document should also be read in conjunction with:

- Asbestos Management Plan
- The Health and Safety Policy
- Repairs and Maintenance Policy
- Void Repairs Procedure
- Assured (shorthold) Tenancy Agreement.
- Aids and Adaptations Policy
- Damp and Mould Policy
- Electrical Safety Policy
- Gas and Solid Fuel Policy
- Customer Home Improvement Policy
- Fire Management Policy
- Tenancy Policy
- Tenancy Management Toolkit
- Equality, Diversity and Inclusion.